

Docket No.: 132285
Serial No.: 10/617,595

REMARKS/ARGUMENTS

Pursuant to 35 USC 121, the Examiner says that restriction to one of the following inventions is required:

- I. Claims 1-31 drawn to a compression molding apparatus, classified in class 425, subclass 89.
- II. Claims 32-35, drawn to a compression molding process, classified in class 264, subclass 319.

Referring to MPEP 806.05(e), the Inventions I and II are said to be "distinct" because the apparatus as claimed can be used to practice another and materially different process such as one that molds a foam, a thermosetting resin, or a fiber reinforced polymeric material. It is said that because Inventions I and II have acquired a separate status in the art as shown by their different classification, restriction for examination purposes is proper.

As requested by the Examiner, Applicants elect the invention of Group I (i.e., Claims 1-31). Applicants also respectfully request that the Examiner reconsider and withdraw this restriction requirement. MPEP Section 803 states:

"If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Other than referring to different patent classifications for Inventions I and II, no other basis is provided for why searching both inventions would be difficult or burdensome. Accordingly, Applicants respectfully request that the restriction requirement be withdrawn and that Inventions I and II as defined by Claims 1-35 be examined together.

Conclusion

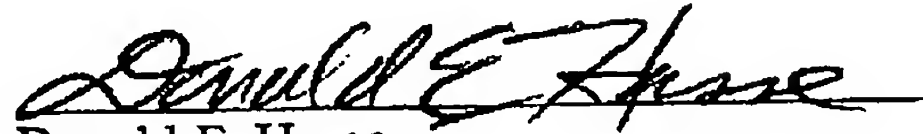
It is believed that the above represents a complete response to the Examiner's restriction requirement. Accordingly, reconsideration and allowance of all claims are respectfully requested.

Docket No.: 132285
Serial No.: 10/617,595

Applicants would appreciate the courtesy of a telephone call should the Examiner have any questions or comments with respect to this response.

Respectfully submitted,

By:



Donald E. Hasse
Attorney for Applicants
Registration No. 29,387
(513) 229-0383
Customer Number 31838

September 8, 2005